

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 22-30, 39-40, and 42-50 are presently active in this case, Claims 28 and 29 amended, and Claims 31-38, 41 and 51-56 cancelled by way of the present amendment.

In the outstanding Office Action, the Restriction requirement mailed May 29, 2007 was made final and Claims 31-56 were withdrawn from further consideration; Claims 22-24 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,106,366 to Altenbokum in view of U.S. Patent No. 3,605,522 to Grosseau et al.; Claim 27 was rejected under 35 U.S.C. §103(a) as being unpatentable over Altenbokum and Grosseau et al., and further in view of U.S. Patent No. 4,096, 769 to Horikiri; and Claims 25 and 28-30 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

First, Applicants wish to thank Examiner Knight for the indication of allowable subject matter in Claims 25 and 28-30. In order to expedite issuance of a patent in this case, Applicants have amended Claims 28 and 29 to be in independent form including all of the limitations of base Claim 22. Thus, Claims 28 and 29 are now in condition for allowance. Further, as withdrawn Claims 39-40 and 42-49 depend from Claim 28, these claims should be rejoined and allowed. Similarly, as Claim 30 depends from Claim 29, this claim should also be allowed.

Turning now to the rejection of Claim 22, Applicants respectfully traverse this rejection. Claim 22 recites a planetary gearset having a rotating element and a fixed element “which is retained so as to be able to move without rotation in a predetermined radial

direction” and “which is constructed such that the load from the transmission of torque between the rotating element and the external member is received by a fixed portion that rotatably retains that rotating element.”

A non-limiting example of a planetary gearset covered by Claim 22 is shown in Figures 1-3 of Applicants’ specification. In the embodiment of these figures, the rotating element is the ring gear 13, which is housed by a fixed casing 16. As seen in the figures, the casing 16 retains the ring gear 13 such that the ring gear 13 is rotatable within the casing 16. Also, in this exemplary embodiment, bearing 17 facilitates rotation of the ring gear 13 with respect to the fixed casing 16.

In contrast, Altenbokum discloses a planetary gear wherein a sun gear 1 is rotatably coupled to three planet gears 2. The sun gear and planet gears are provided within a fixed internal gear 3. The internal gear 3 includes external teeth 10 that engage inner teeth 11 of a sleeve 12. The sleeve 12 is fixed to an annular extension 18. Thus, the internal gear 3 and its outer teeth 10, the sleeve 12 and its inner teeth 11, and the extension 18 are all fixed in Altenbokum.

The Office Action cites the internal gear 3 as a fixed element, and the annular extension 18 as the fixed portion. As noted above, however, the annular extension 18 fixes the internal gear 3, but does not rotatably retain the internal gear or any other gear. That is, the annular extension cannot be a “fixed portion that rotatably retains that rotating element” as recited in Claim 22. Furthermore, Altenbokum does not disclose the external member of the invention in Claim 22. Thus, according to Altenbokum, operations of the load due to the torque transmission between the rotating element and the external member are not considered, and the strength and durability of the overall planetary gearset is restricted by the strength and durability of a specific member. As discussed in the Background section of Applicants’ specification, this is the same problem recognized by the present inventors and

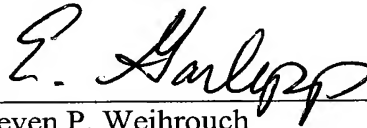
addressed by the disclosed invention.¹ That is, the cited reference to Altenbokum does not teach the above-noted features of Claim 22 because Altenbokum presents the same problem that the invention of Claim 22 is directed to addressing. Thus, Claim 22 patentably defines over Altenbokum.

The secondary references to Grosseau et al. and Horikiri are cited for teachings in the dependent claims and do not correct the above-noted deficiencies of Altenbokum. Therefore, independent Claim 22 also patentably defines over the cited references. As Claims 23-27 and 50 depend from Claim 22, these claims also patentably define over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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¹ Applicants' published application U.S. 2005/0215389 at paragraph 15.